IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 1ST JANUARY 2007 / 11TH PAUSHA 1928

WP(C).No. 34647 of 2006(Y)

PETITIONER:

STANLEY ANTONY, AGED 45 YEARS,
S/O.ANTONY, INIKKAL HOUSE,
C/O.M/S.OCEAN KING HOTEL, THOPPPUMPADY,
ERNAKULAM DISTRICT.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,
ERNAKULAM.

2. THE REVENUE DIVISIONAL OFFICER,
FORT KOCHI.

3. THE TAHSILDR, KOCHI TALUK OFFICE.

4. THE VILLAGE OFFICER,
THOPPUMPADY VILLAGE OFFICE,
ERNAKULAM DISTRICT.

BY G.P. SRI.I.V.PROMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.34647 of 2006

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Dated this the 1st day of January, 2007.

JUDGMENT

The petitioner constructed a hotel part of which is on 2 cents of puramboke land which is an urban area in Thoppumpady. The appeal filed against the order of the Tahsildar before the RDO was unsuccessful. The petitioner apprehends demolition of the hotel building pursuant to order of the RDO and hence filed this W.P. The petitioner has filed revision before the District Collector against the order of the RDO. In the circumstances, W.P. is disposed of directing respondents 2 and 4 not to dispossess or demolish the building in the puramboke land for three months on the petitioner remitting rupees one lakh before the third respondent within two weeks from now. The District Collector is directed to hear the petitioner and dispose of the revision within two months from the date of deposit of the amount as above. If land is assigned, it is for the Collector to fix the market value and demand the value in accordance with the current norms. The amount deposited can be adjusted towards cost, if land is assigned. If petitioner agrees to demolish the building and surrender the encroached

land, then amount deposited will be refunded on handing over possession to the Village Officer.

C.N.RAMACHANDRAN NAIR
Judge

pms